

93 RCE/2631

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

Sept. 23, 2004

Date

Signature

Vicki Chia

Type or printed name of person signing certificate



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/884,415  
 Filing Date: June 18, 2001  
 First Named Inventor: Uwe Sydon, et al.  
 Group Art Unit: 2631  
 Examiner Name: Corrielus, Jean B.  
 Attorney Docket Number: 1999P7358US03  
 Title: Method and System for Power-Conserving Interference  
 Avoidance in Communication between a Mobile Unit and a  
 Base Unit in a Wireless Telecommunication System

Mail Stop RCE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**UNDER 37 C.F.R. §1.114**

Sir:

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. §1.114, for the above identified application. A Notice of Allowance has been issued in the above case. This RCE is being filed in order to withdraw from issue the above application so that the prior art references cited in an European Patent Office Search Report for a corresponding foreign application can be considered by the Examiner.

**TIME REQUEST IS BEING MADE**

2. This request is being submitted:
- i. ☐ Prior to abandonment of the application
  - ii. ☒ Payment of the issue fee  
☒ Prior to payment of issue fee

09/28/2004 RNDNDAF1 00000075 192179 09884415

01 FC:1801 770.00 DA

- ☐ Issue fee has been paid but a petition under §1.313 has been submitted herewith and this RCE should be deemed to be filed.
- iii. ☐ Prior to a decision on appeal to the Board of Patent Appeals & Interferences  
☐ A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed
- iv. ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 114 OR  
☐ Commencement of a civil action under 35 U.S.C. 146  
☐ Prior to the filing of such appeal or commencement of civil action  
☐ Such appeal or commencement of civil action has been terminated

#### SUBMISSIONS AND ENCLOSURES

3. a. Submission required under 37 CFR §1.114  
☐ Previously submitted:  
i. ☐ Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on \_\_\_\_\_.  
ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.  
iii. ☐ Other: \_\_\_\_\_.
- b. Enclosed herewith is/are:  
☐ A Petition for Extension of Time for \_\_\_\_\_ month.  
☒ An Information Disclosure Statement (37 C.F.R. §1.98) with PTO-1449 and 9 references.  
☐ A preliminary amendment  
☐ New arguments  
☐ New evidence in support of patentability  
☐ Other: \_\_\_\_\_.

FEE FOR RCE REQUEST (37 C.F.R. §1.17(e))

4. ☒ Filing fee has been calculated as shown below (other than small entity):

For	Claims Remaining	Highest Number Previously Paid For	Present Extra	x Rate	Additional Fees
Total Claims	21	- 21	= 0	x \$ 18	\$-0-
Indep. Claim	5	- 5	= 0	x \$ 84	\$-0-
<input type="checkbox"/> First Presentation of a Multiple Dependent Claim				x \$270	\$-0-
				RCE Fee	\$ 770.00

5. ☒ Please charge Deposit Account No. 19-2179 in the amount of \$770.00. The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment to Deposit Account No. 19-2179 pursuant to 37 C.F.R. §1.25. A duplicate copy of this sheet is enclosed.
6. ☒ This application, as amended, names as inventors:  
☒ the same inventor(s) as previously designated for the claims.  
☐ fewer than the inventor(s) previously designated and a statement accompanies this request for the deletion of the name or names of the person or persons who are not inventors of the invention now being claimed.  
☐ a person not named previously as an inventor and a petition under 37 C.F.R. §1.48 is/has separately: ☐ being filed ☐ been filed
7. ☐ A request for deferral of examination accompanies this Request for Continued Examination

Date: Sept. 23, 2004

Respectfully requested,

Customer Number - 28524  
 SIEMENS CORPORATION  
 Intellectual Property Department  
 170 Wood Avenue South  
 Iselin, New Jersey 08830  
 ATTENTION: Elsa Keller, IP Department  
 Telephone: (732) 321-3026

By: Thomas George  
 Thomas George  
 Registration No. 45,740  
 Attorney for Applicants  
 Tel: 650-694-5191  
 Fax: 650-968-4517